

REMARKS

Claims 7-15, 17, 32, 34-37, 41 and 42 were pending. Claim 42 is cancelled. No claims are newly presented. No new matter has been introduced.

Restriction Requirement

The examiner requires restriction to one of the following inventions:

- Group I: claims 7-15, 32, 34-37 and 41, drawn to a device for the sampling of body fluid using a cartridge having a plurality of penetrating members and a processor for controlling the penetrating member driver at select velocity profiles; or
- Group II: claim 42, drawn to a method for indexing using a linear slider coupled to a rod having at least one roller.

Applicant provides an election of species, identification of claims, and cancellation of non-elected claims.

Election of invention:

Applicant elects Group I directed to a device for the sampling of body fluid using a cartridge having a plurality of penetrating members and a processor for controlling the penetrating member driver at select velocity profiles

Identification of Elected Claims

Applicant identifies claims 7-15, 17, 32, 34-37 and 41 drawn to elected Group I.

Cancellation of Non-Elected Claims:

Applicant cancels claim 42. Applicant reserves the right to prosecute the non-elected claims in a divisional application.

CONCLUSION

Applicant believes that the application is now in condition for examination and respectfully requests the same.

The examiner is authorized to charge any fees due in connection with this paper to Deposit Account 50-4634 (PEL 2804).

Respectfully submitted,
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